

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	
)	Criminal No. 20-10012-IT
PAUL BATEMAN,)	
)	
)	
Defendant)	
)	
)	
)	

REPORT AFTER INITIAL STATUS CONFERENCE
PURSUANT TO LOCAL RULE 116.5(a)

March 9, 2020

Hennessy, M.J.

Defendant is charged in an indictment with one count of Receipt of Child Pornography, in violation of 18 U.S.C. § 2252A(a)(2)(A) and (b)(1); and one count of Possession of Child Pornography, in violation of 18 U.S.C. § 2252A(a)(5)(B) and (b)(2). Defendant was arraigned on January 27, 2020. I held an initial status conference on March 9, 2020 in Worcester which the parties attended by telephone. Based on the conference and a joint memorandum filed in advance I report as follows:

Local Rule 116.5(a)(1) through (4)

The United States reports that it produced automatic discovery on February 24, 2020 and is unaware of any outstanding discovery. The United States is working with defense counsel to arrange the review of forensic materials. There are no pending discovery requests. Defendant

needs additional time to review discovery to determine whether to serve discovery requests. The court entered a protective order on February 25, 2020.

Local Rule 116.5(a)(5)

Defendant is directed to report at the Interim Status Conference whether, based on a review of discovery, he will file pretrial motions pursuant to Fed.R.Crim. P. 12(b).

Local Rule 116.5(a)(6)

The parties request that expert disclosures, if any, be due twenty-eight (28) days before trial. I allow that request.

Local Rule 116.5(a)(7)

The Court has excluded the period from January 27, 2020 (the date of Defendant's arraignment), through March 9, 2020 (the date of the Initial Status Conference). The parties further agree that the period from March 9, 2020 through the Interim Status Conference that I have set for April 9, 2020 should be excluded under the interest of justice provision of the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A). I will allow that request and enter a separate written order. It appears that ten days, from the January 16, 2020 filing of the indictment to the arraignment, are chargeable against the statutory speedy trial clock. See Order of Excludable Delay entered on this date.

Local Rule 116.5(a)(8)

An Interim Status Conference will take place in this case on Thursday, April 9, 2020 at 12:00 p.m., in Courtroom #1, Fifth Floor, Donohue Federal Building, 595 Main Street, Worcester, Massachusetts. If the parties file a joint memorandum that addresses Local Rule 116.5(b) which obviates the need for the status conference, the Court will waive the status conference. Counsel are encouraged to appear by telephone if that is more convenient. If any counsel wishes to appear by telephone, counsel is to contact my Courtroom Clerk Dawn King, (508.929.9905 or

Dawn_King@mad.uscourts.gov) before the conference and provide a landline telephone number at which counsel can be reached. The parties are to address in the memorandum or at the interim status conference when they expect this matter can be returned to Judge Talwani.

/ s / David H. Hennessy
David H. Hennessy
United States Magistrate Judge